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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	2:14-CR-228-JAD-CWH
)	
)	
Plaintiff,)	
)	
v.)	
)	
CHARLES EDWARD COOPER, JR.,)	
)	
Defendant.)	
_____)	

STIPULATION FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of America, and James A. Oronoz, Esq., counsel for Defendant CHARLES EDWARD COOPER, JR., that the date for the Government to file a response to the Defendant's Motion to Suppress (Docket #75) be extended for three (3) weeks.

This stipulation is entered for the following reasons:

1. On November 3, 2015, the Defendant filed a Motion to Suppress. *See* Docket #75. PACER set the Government's response deadline for November 20, 2015.
2. Also on November 3, 2015, undersigned counsel for the United States began a trial in the matter of *United States v. Michael Beale*, case number 2:15-cr-156-JAD-PAL. The

1 trial lasted until November 5, 2015 and ended in a mistrial due to a hung jury. The retrial in that
2 matter is presently scheduled for December 8, 2015.

3 3. Counsel for the Defendant recently filed a motion that may affect whether or not
4 he will continue to represent the Defendant. Ongoing representation of the Defendant should be
5 solidified / clarified prior to the Government filing a response to the Defendant's Motion to
6 Suppress. The Defendant's trial is currently set for January 5, 2016.

7 4. The Defendant is incarcerated, but he does not object to the continuance of the
8 Government's response deadline.

9 5. The additional time requested herein is not sought for purposes of delay, but
10 merely to allow the parties to resolve any representation issues prior to proceeding with further
11 litigation.

12 6. Additionally, denial of this request for continuance could result in a miscarriage
13 of justice.

14 7. This is the first stipulation filed herein to continue the Government's response
15 deadline.

16 DATED: November 20, 2015.

17
18 /s/
19 PHILLIP N. SMITH, JR.
20 Assistant United States Attorney
21 Counsel for the United States

17
18 /s/
19 JAMES A. ORONoz, ESQ.
20 Counsel for Defendant CHARLES COOPER

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	2:14-CR-228-JAD-CWH
)	
)	
Plaintiff,)	
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v.)	
)	
CHARLES EDWARD COOPER, JR.,)	
)	
Defendant.)	
_____)	

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On November 3, 2015, the Defendant filed a Motion to Suppress. *See* Docket #75. PACER set the Government's response deadline for November 20, 2015.
2. On November 3, 2015, the counsel for the undersigned began a trial in the matter of *United States v. Michael Beale*, case number 2:15-cr-156-JAD-PAL. The trial lasted until November 5, 2015 and ended in a mistrial due to a hung jury. The retrial in that matter is presently scheduled for December 8, 2015.
3. Counsel for the Defendant recently filed a motion that may affect whether or not he will continue to represent the Defendant. Ongoing representation of the Defendant should be solidified / clarified prior to the Government filing a response to the Defendant's Motion to Suppress. The Defendant's trial is currently set for January 5, 2016.

5. The additional time requested herein is not sought for purposes of delay, but merely to allow the parties to resolve any representation issues prior to proceeding with further litigation.

6. Additionally, denial of this request for continuance could result in a miscarriage of justice.

7. This is the first stipulation filed herein to continue the Government's response deadline.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the motion response deadline.

CONCLUSIONS OF LAW

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The additional time requested herein is not sought for purposes of delay, but merely to allow the parties to resolve any representation issues with regards to the Defendant, and to allow the Government adequate time to prepare a response after said issues are resolved, taking into account due diligence. The failure to grant said continuance would likely result in a miscarriage of justice.

ORDER

IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the Government to respond to the Defendant's Motion to Suppress (Docket #75) is extended until _____ December 14 _____, 2015.

DATED: November 23, 2015

UNITED STATES MAGISTRATE JUDGE